

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

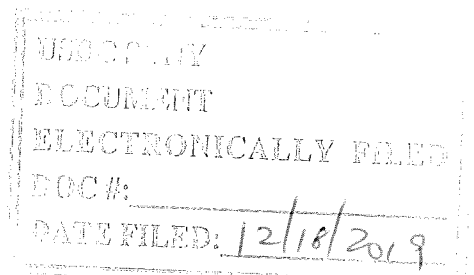
JONATHAN JOSE CASANOVA,

Plaintiff,

-against-

C.O. MALDONADO; *et al*

Defendants.



17-cv-1466 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge

Plaintiff Johnathan Casanova ("Plaintiff"), proceeding *pro se*, commenced the instant action on February 27, 2017, asserting claims under 42 U.S.C. § 1983 against eleven defendants. (ECF No. 2.) On July 22, 2019, this Court issued an Opinion and Order granting in part and denying in part Defendants Venettozzi, Valentin, Gleason, Meigs, and Isaac's partial motions to dismiss (the "July Order"). (ECF No. 68.) As is relevant here, the Court dismissed, without prejudice, Plaintiff's (1) failure to protect claim against Defendant Valentin, (2) medical indifference claim against Defendant Gleason, (3) due process violation claim against Defendant Venettozzi, and (4) claims against Defendants Isaac and Meigs related to verbal harassment and the filing of a misbehavior report. (*Id.*)

The Court gave Plaintiff 45 days from the date of the July Order (October 22, 2019) to file an amended complaint as to those claims dismissed without prejudice. (*Id.*) The Court warned Plaintiff, however, that if he did not timely file an amended complaint, all claims dismissed pursuant to the July Order would be dismissed with prejudice. (*Id.*)


To date, Plaintiff has not filed an amended complaint. Accordingly, Plaintiff's claims that were dismissed by the July Order are now dismissed with prejudice. Furthermore, as there are no

further claims against them, Defendants Venettozzi, Gleason, Isaac, and Meigs are dismissed from this case. The remaining Defendants shall have until February 17, 2020—60 days from the date of this order—to file responsive pleadings to Plaintiff's original complaint.

In light of the foregoing reasons, the Clerk of Court is directed to terminate Defendants Venettozzi, Gleason, Isaac, and Meigs from the caption. The Clerk is further directed to mail a copy of this order to Plaintiff at the address listed on ECF and to file proof of service on the docket.

Dated: December 18, 2019
White Plains, New York

SO ORDERED:



NELSON S. ROMAN
United States District Judge